

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3451 OF 2006.

Shri B.K. Gheware .. Applicant

V/s

The State of Maharashtra ..Respondent.

Mr. P.M. Pradhan with Mr. Ajit Ram Pitale for the
applicant.

Smt. M.H. Mhatre, A.P.P. for the State.

CORAM : S.C. DHARMADHIKARI, J.

DATE : 19TH SEPTEMBER, 2006.

P.C.

. The applicant is apprehending arrest in FIR No. 12/2001, which is being investigated by CID Raigad Squad, Alibaug. The offences are alleged under Indian Penal code and the Indian Forest Conservation Act.

2. The applicant has filed an application directly to this Court But Mr. Pradhan relies upon the fact that this court had by an order dated 4th September, 2002 passed in criminal Application No. 3054/2002 recorded the statements of the prosecution and protected the applicant. The statement was to the effect that the applicant would get 72 hours prior notice before arrest.

3. He submits that after a period of more than 4 years the applicant was served with a notice and the time expires today. In such circumstances, the applicant apprehending his arrest.

4. In my view, appropriate Course would be to direct that the applicant shall not be arrested for a period of two weeks and grant him liberty to move Sessions Court. Accordingly application is disposed of with the aforesaid liberty and direction. The applicant not to be arrested for a period of 15 days. All contentions are kept open.

(S.C. DHARMADHIKARI, J.)